

Loving Someone Whose Death Wouldn't Matter

by Elizabeth Harman

It is common for a pregnant woman to love her fetus from the very beginning of pregnancy.

She is not being irrational or unreasonable.

She is not caught in a false view about which kinds of things are appropriate objects of love.

An anti-abortion argument:

1. Some people love their fetuses from the beginning of pregnancy. They are reasonable in loving them and they are not making a mistake about which kinds of things are appropriate objects of love.
2. If something is an appropriate object of love, then it has moral status: it counts morally for its own sake and it is a member of the moral community.

Therefore:

3. All early human fetuses have moral status.
4. Abortion greatly harms the fetus.

Therefore:

5. There is a strong moral reason against early abortion.

Objection to claim 2: We love lots of things that don't have moral status.

Response: There are different kinds of love.

Interpersonal love is different from love of things.

Both kinds of love involve: Attachment

Some desire that the loved thing thrive / be preserved

Love for a person involves: Concern for their well-being for their sake

Valuing of one's relationship with them

Lesson:

We need to interpret the argument as talking specifically about the kind of love we have for persons.

Objection to the inference to claim 3: All that follows from 1 and 2 is that *some fetuses* have moral status.

One way of developing this objection: Loving something gives it moral status.

Problem: Moral status should be intrinsic

Problem: “I love your fetus”



A better way of developing this objection: Something’s actual future can impact the kind of thing it is

The Ever Conscious View: A living thing has moral status just in case it is ever conscious.

On this view, there is no moral reason against abortion.

We can reject the anti-abortion argument:

We can acknowledge that some early fetuses are the appropriate objects of love, without conceding that there is *any reason* against early abortion.

The Very Liberal View of Abortion:

Abortions of early (pre-conscious) fetuses are morally insignificant and require no moral justification.

The Love Objection: Pregnant women who love their fetuses aren’t unreasonable or making any mistake about which kinds of things are appropriate objects of love.

The Harm Objection: We should not harm early fetuses by taking certain drugs, or smoking or drinking excessively during pregnancy, because of the way these early fetuses matter.

The Miscarriage Objection: It is understandable to be very upset by an early miscarriage.

The Regret Objection: It can be reasonable to feel regret about an abortion without regretting the choice to abort; a woman who feels this way isn’t making a mistake.

The Very Liberal View of Abortion can be defended in the face of these objections.

The Ever Conscious View helps.

Some early fetuses are the appropriate objects of love.

Some early fetuses do have moral status and are the source of reasons against harm.

Miscarriage is both *the death of a living being one reasonably loved* and *the loss of the life you would have had*.

Regret after an abortion may be about *the loss of the life you would have had*.

The Ever Conscious View: A living thing has moral status just in case it is ever conscious.

Four objections to the Ever Conscious View:

First Objection: A fetus's moral status is determined by its "nature."

Second Objection: If the Ever Conscious View were true, we'd never know whether an early fetus has moral status.

Third Objection: A living person who has become permanently unconscious lacks moral status.

Fourth Objection: According to the Ever Conscious View, you just can't lose! If you abort, then it turns out that the fetus you aborted was the kind of thing it's okay to abort. If you don't abort, then it turns out that the fetus was the kind of thing it's not okay to abort. Abortion is self-justifying.

This objection assumes a bad model of how we find our harm-based moral reasons.

First ask: Which things have moral status?

Then ask: Would this action harm any of them?

The good model:

First ask: Would this action harm anything?

Then ask: Would that thing (/those things) have moral status?

Conclusion: What does love teach us about abortion?

Does it teach us that there is a strong moral reason against abortion?

No.

Does it teach us that some early fetuses have moral status?

Yes.

And it's not just love that teaches us that.

Some early fetuses are the appropriate objects of love.

Some early fetuses should not be harmed because of the way they already matter.

It is understandable to be very upset by an early miscarriage.

These facts together teach us that some early fetuses have moral status.

My published papers presenting early versions of some of these ideas:

“Creation Ethics: The Moral Status of Early Fetuses and the Ethics of Abortion”
Philosophy and Public Affairs 1999

Argues for the Actual Future Principle, a more limited version of
the Ever Conscious View

“The Ever Conscious View and the Contingency of Moral Status” in *Rethinking Moral Status* 2021

Argues for the Ever Conscious View and discusses the good method of finding reasons against harm

“Sacred Mountains and Beloved Fetuses: Does Loving or Worshipping Something Give It Moral Status?” *Philosophical Studies* 2007

Argues that love or worship of something does not give it moral status, and offers an account of when satisfying or thwarting someone’s desires is good or bad for them.

“Can We Harm and Benefit in Creating?” *Philosophical Perspectives* 2004

Develops a solution to the non-identity problem and offers the good method of our finding reasons against harm

These papers can be found on my website, elizabethharman.org